

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/734,353

Filing Date

12/12/2003

First Named Inventor

Hu

Art Unit

3732

Examiner Name

O' Connor, Cary E.

Attorney Docket Number

GUID-11CON2

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):Response to Restriction Requirement (2 pg.)
Postcard**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

LAW OFFICE OF ALAN W. CANNON

Signature

Printed name

Alan W. Cannon

Date

7/10/07

Reg. No.

34,977

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Maria J. Sousa

Date

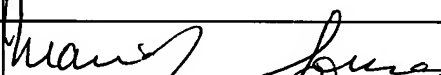
7/10/07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or Printed Name	Maria J. Sousa		
Signature		Date	7/10/07

RESPONSE TO RESTRICTION REQUIREMENT Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket Confirmation No.	GUID-011CON2 3571
	First Named Inventor	Hu
	Application Number	10/734,353
	Filing Date	12/12/2003
	Group Art Unit	3732
	Examiner Name	O'Connor, Cary E.
	Title	Surgical Instruments for Accessing and Stabilizing a Localized Portion of a Beating Heart

Sir:

This is in response to the Restriction Requirement dated June 13, 2007 for which a one-month period for response was given making this response due on or before July 13, 2007.

THE RESTRICTION REQUIREMENT

In the Official Action dated June 13, 2007, the Examiner required restriction among the three following "inventions" that were identified by the Examiner:

Group I – claims 1, 2, 5-10, 12-13, 15-16 and 84-108 drawn to an instrument mount apparatus and system;

Group II – claims 69-71 and 77, drawn to an apparatus for stabilizing a beating heart; and

Group III, claims 109-112, drawn to a method for stabilizing a portion of a heart.

The Examiner required election of one of the above-listed inventions I-III to be responsive to the Office Action.

RESPONSE

In response to the restriction requirement, Applicants elect Group I, claims 1, 2, 5-10, 12-13, 15-16 and 84-108, with traverse. Applicants respectfully submit that it would not be an undue burden upon the Office to examine all of the claims in the instant application together in this case.

Conclusion

Applicants respectfully submit that a proper response has been made to the Restriction Requirement., and that all of the claims in this application are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-2653, order number GUID-011CON2.

Respectfully submitted,
LAW OFFICE OF ALAN W. CANNON

Date: _____

7/10/07

By: _____



Alan W. Cannon
Registration No. 34,977

LAW OFFICE OF ALAN W. CANNON
942 Mesa Oak Court
Sunnyvale, CA 94086
Telephone: (408) 736-3554
Facsimile: (408) 736-3564